

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JESSICA FERGUS, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

IMMUNOMEDICS, INC., CYNTHIA L.
SULLIVAN, PETER P. PFREUNDSCHUH,
and DAVID GOLDENBERG,

Defendants.

Civil Action No.: 2:16-cv-3335 (KSH) (CLW)

**SUPPLEMENTAL PRETRIAL SCHEDULING
ORDER AMENDING ORDER OF
OCTOBER 8, 2020 (ECF No. 69)**

THIS MATTER having come before the Court by way of its March 26, 2021 text order (ECF No. 75) directing the parties to file a status report letter on or before May 14, 2021 if this case were not settled during mediation on May 4 and 5, 2021, and the parties being unable to reach a settlement during mediation.

IT IS on this 17th day of May, 2021.

ORDERED that this matter will proceed as follows, thereby amending the Pretrial Scheduling Order entered on October 8, 2020 (ECF No. 69):

1. **Resolution of Discovery Disputes.** The parties shall submit a joint discovery dispute letter by June 1, 2021.
2. **Fact Discovery.** Unless otherwise ordered by the Court, all document production must be completed by August 26, 2021, and all fact witness depositions must be completed by November 24, 2021. No discovery is to be issued beyond that date, except upon application and for good cause shown.
3. **Motions to Add New Parties.** The Parties do not anticipate adding new parties without cause.
4. **Motions to Amend Pleadings.** Any motion to amend pleadings must be electronically filed no later than the close of document discovery, except for good cause shown. Any motion to amend the pleadings to conform to the evidence must be filed by December 31, 2021.

5. **Rule 26 Disclosures.** The parties shall update their previously-exchanged disclosures pursuant to Rule 26 no later than July 21, 2021.
6. **Interrogatories.** The parties may not serve additional interrogatories except for good cause.
7. **Document Requests.** The parties may not serve any additional requests for production of documents except for good cause.
8. **Depositions.** The number of depositions to be taken by each side shall not exceed 10, unless otherwise agreed or for good cause shown.
9. **Class Certification.** Plaintiff shall file his motion for class certification no later than **TBD**.
10. **Electronic Discovery.** The Parties are currently not in agreement on electronic discovery. The substance of those disputes will be discussed in the joint discovery dispute letter to be filed by June 1, 2021. *See* Resolution of Discovery Disputes (section 1) above.
11. **Discovery Disputes.** The Parties presently anticipate filing a joint letter on all currently known discovery disputes by June 1, 2021.
12. **Motion Practice.** The parties shall file dispositive motions (including motions for summary judgment (if any)) by **TBD**.
13. **Expert Reports.** All affirmative expert reports relating to merits of the case shall be served by December 17, 2021. All responsive expert reports shall be served by January 17, 2022. Depositions of all experts are to be completed by February 14, 2022. The foregoing deadlines do not apply to expert reports that may be relied upon by the parties in connection with any motion for class certification. *See* Class Certification (section 9) above.
14. **Form and Content of Expert Reports.** All expert reports must comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.
15. **Final Pretrial Conference.** **TBD**
16. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.

17. **Protective Orders.** A confidentiality order was entered on September 30, 2020 (ECF No. 67).
18. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not addressed by this Order or the Court's Civil Case Management Order.
19. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

s/Cathy L. Waldor

CATHY L. WALDOR

United States Magistrate Judge